

Special Conditions of Permit for Construction and Commercial Vehicles Haleakalā National Park

I. Administrative

The Permittee shall exhibit a commitment to safety for all visitors and employees of Haleakalā National Park (“the Park”). The Permittee is responsible for informing their employees of hazards likely to be encountered during their project and to provide guidelines, rules and practices that will mitigate and manage risk. Hazards unique to this location may include:

- **High Elevation:** influences on medical conditions (e.g. known cardiac or respiratory conditions), extreme temperature variations (30° - 70° F), or wind conditions (15-80 mph or greater).
- **Weather Conditions:** localized heavy rain, flash flooding, falling rocks, fog drip, sleet, ice or snow.
- **Steep, narrow roadways, limited shoulders, limited sight distance, etc.**

Commercial vehicles share the road with a variety of other pedestrian and vehicular traffic including private and commercial tour vehicles, buses, large horse trailers and private cyclists. The Permittee and their employees are expected to exercise courtesy and sound judgment to avoid and mitigate risk.

A. Special Conditions: It is expressly understood that the Permittee, their employees and any subcontractors working under this Permit are subject to all special conditions.

B. Guarantee of Entry: It is understood that possession of this Permit does not guarantee entry into the Park. Entrance into the park may be closed or restricted from time to time in response to natural, cultural, and/or national security events. *(Natural conditions that cause the park or sections of the park to be closed may occur at any time. Every attempt will be made to notify the Permittee of these closures as soon as reasonably possible.)*

C. Carry Permit: All vehicles utilized under this Permit shall carry a copy of the entire “Special Use Permit” and “Conditions of Permit” for said project.

D. General Liability Insurance: General liability insurance is required for the Permittee, contractor and any subcontractors. The amount required will be based upon the complexity of the project and potential impact to the Park.

E. Entrance Fees: Vehicles associated with the Permit shall be waived the entrance fee upon entering in a marked company vehicle or by providing the names of employees entering in personal vehicle(s). Please note that the entrance fee is waived only for the purpose of reporting directly to a specific work location. Any deviation for recreational purposes is subject to payment of required entrance fees.

- I. Permittee will provide the Park with a listing of contractor, subcontractor and their associated vehicles and employees entering the park on a daily basis. This list may be emailed to HALE_Commercial_Manager@nps.gov or faxed to 808-572-4438.

2. Permittee will provide the Park with a listing of anticipated deliveries for each week. This list shall be emailed or faxed to address/number shown above.

F. Revocation/Suspension: The Permit is subject to revocation, suspension, and/or non-issuance for violation(s) of any terms and conditions of the permit and/or violation of any Federal law by the Permittee, their employees, contractors, and subcontractors.

1. Any person authorized to work under this Permit and found to be under the influence or in possession of alcohol/controlled substances while operating a vehicle will automatically receive an automatic suspension from entering the Park for a minimum of 30 days (in addition to citation by law enforcement personnel). A second offense by the same employee or by any other employee will result in a suspension or revocation of the Permit.
2. Failure to provide proof of current commercial liability and/or valid vehicle insurance will result in immediate suspension of the Permit until such time that current documentation is provided to the Park.

G. It is the responsibility of the Permittee to ensure that all employees, contractors and subcontractors passing through the park have read and understand all conditions of the Permit.

II. Compliance Requirements

Before issuing a permitting document, the park is required to review the proposed project to ensure every reasonable measure has been taken to avoid or minimize impacts to park resources and values and that necessary compliance documents have been completed under the National Environmental Policy Act (NEPA), National Historical Preservation Act (NHPA), Endangered Species Act, and other laws, as applicable.

Small-scale projects that span a short period of time and/or involve a few vehicles, primarily FHWA Class 4 or below, and no oversized loads will most likely need minimal compliance documentation. Large-scale projects that span longer periods of time (i.e., months or years) and/or involve a large number of vehicles, FHWA Class 5 or larger, and/or multiple oversized loads will need more extensive compliance documentation.

III. Vehicles

A commercial vehicle is defined to include but is not limited to cube trucks, sport utility vehicles (SUVs), pickup trucks, passenger cars or other vehicles when used to transport movable property for a fee or profit....or when used in connection with any business. The Superintendent shall issue permits for commercial vehicles used on park area roads when such use is necessary for access to private lands situated within or adjacent to the park area, to which access is otherwise not available (36 CFR § 5.6).

A. The Permittee will have a system of inspection and maintenance of transportation for all vehicles utilized under the Permit.

B. Rules of the Road: All vehicles will comply with posted traffic regulations, including speed limits and double-yellow center lane markings. Vehicles operating under the Permit shall take every safe opportunity to use paved roadside pullouts in order to allow faster moving traffic to

pass. Failure to comply with traffic regulations will result in a citation being issued to the driver.

C. Vehicle Parking: Vehicles are not permitted any long-term or overnight parking along the park road between MM 10.5 and MM 21.5 or in associated overlooks/pullouts. Vehicles will be permitted at designated parking areas in the case of emergencies and/or road closures due to natural causes.

D. Vehicle Exhaust: All vehicles will be properly maintained to insure that the exhaust produced is within legal limits. Effects of excessive vehicle exhaust may be subject to enforcement of State and Federal laws regarding emissions as well as those regarding threatened and endangered species.

E. Spills: Permittee shall be responsible for any cleanup efforts required in accordance with 40 CFR and all applicable state environmental quality laws regarding disposal and cleanup of hazardous/industrial wastes. Permittee must immediately notify the Park of spills.

F. Commercial Vehicle Safety Inspections: The Permittee, employees, contractors, and subcontractors shall fully cooperate regarding safety inspections of commercial vehicles within the Park. Commercial vehicle safety inspections are conducted unannounced for employee and visitor safety. Vehicles are checked for safety and mechanical deficiencies and for compliance with current state and federal laws and regulations. Driver licenses and medical certificates are also checked.

G. DOT Compliance: All vehicles are to be compliant with all DOT requirements including but not limited to driver with appropriate license class, medical examiner card as appropriate with license class, carrying 3 triangles or 3 flares, mounted fire extinguisher, and valid DOT safety sticker.

H. Slow Vehicles: The Permittee is to notify the Park of slow vehicles that may cause traffic delays or extended traffic lines. Vehicles that are slow are requested to enter the Park AFTER 2:00 p.m. and exit the Park BEFORE sunset. If night deliveries are necessary, they are to be completed during the months of December and January only.

I. Oversized Vehicles: Oversized vehicles are defined as vehicles where the width of the vehicle or load exceeds one lane (i.e., beyond the center line of the paved road). Oversized vehicles must not exceed the clearances along the Park road corridor. Oversized vehicles will require an escort and drivers must avoid driving on the edges of the Park road. The Permittee is to notify the Park of oversized vehicles, scheduled dates and estimated arrival times at the park entrance, and the identity of who is escorting the vehicle (e.g., police, contractor, etc.). Vehicles that are oversized are requested to enter the Park AFTER 2:00 p.m. and exit the Park BEFORE sunset. If night deliveries are necessary, they are to be completed during the months of December and January only.

J. Endangered Birds On and Near Road: Two endangered bird species can be found on and along the side of the Park's road; the Nene (Hawaiian goose) and the 'Ua'u (Hawaiian petrel). Thus, drivers must drive at or under the speed limit to keep from hitting one of these endangered birds. If a Nene or 'Ua'u is hit by a vehicle or injured in any other way, please contact Park Dispatch (1-808-985-6170) immediately.

All drivers must be informed that *Nene* are frequently on the Park's road and do not readily move when approached by cars. If there is a *Nene* on the road, drivers must stop and allow the *Nene* to move away on its own. Drivers should be aware that *Nene* may suddenly appear on the road from the bushes and to be especially wary of this on foggy and/or rainy days.

All drivers must be informed that '*Ua'u* nests occur along the road side from MM 16.5 to the summit. '*Ua'u* are active at night at the Park, sometimes land on the road, and do not move when approached by cars. '*Ua'u* are completely absent from the Park in December and January of each year. Exhaust from vehicles may harm nesting '*Ua'u* (see section on Vehicle Exhaust). If an '*Ua'u* is on the road, drivers should stop, gently pick up the bird, contain the bird (put it in a box, wrap it in a towel or clothing with its wings and feet restrained and its head free to allow it to breathe), take the bird to their destination, and immediately call Park Dispatch. If the driver is not comfortable picking with picking up the bird, call Park Dispatch directly and await instruction and assistance.

IV. Road & Weight Restrictions

All vehicle load, weight and size limitations, as established by State law, apply to vehicles operated on the Park road (36 CFR § 4.11). No loads heavier than the current load rating for the historic Park bridge will be permitted (see "Structure Load Rating – Haleakala Highway Bridge" below).

V. Vehicle and Equipment Inspections for Invasive Species

The Park is committed to ensuring the protection of natural and cultural resources found within the Park and adjacent park partner lands. Introduction of non-native species can threaten rare and endangered species or can create new populations of non-native species not traditionally found here. The Permittee is required to inform contractors, subcontracts, and suppliers to thoroughly clean vehicles, equipment, supplies, and materials prior to packing and loading. The Park requires and performs inspections to ensure the non-transport of non-native species PRIOR to arriving at the park entrance. These inspections are subject to payment of cost recovery at the Permittee's expense.

A. Vehicles – Required Inspections

1. Off-Island including from the Mainland

- a) All vehicles are required to be inspected.

2. On-Island (Maui)

- a) All construction vehicles typically used on road projects such as flatbed trucks, dump trucks, and low-boys hauling heavy equipment.
- b) Small trucks, SUVs, and passenger vehicles used on construction sites
- c) Forklifts, loaders, backhoes, etc.

B. Equipment – Required Inspections

1. Off-island including from the Mainland

- a) All equipment is required to be inspected.

2. On-Island (Maui)

- a) Scissor lifts, generators, etc. used on construction sites and in baseyards.
- b) Weights, scaffolding, drills, tools and other equipment from construction sites and baseyards.

C. Containers – Required Inspections

1. Off-island including from the Mainland

- a) All containers are required to be inspected. An itemized manifest for each container is required.
 - (1) From sterile environment when packed with shrink wrap or some other plastic wrapping: need to open container, but not cut wrapping.
 - (2) Items just packed into container: need to open container and visually inspect items as best as possible.
 - (3) Wooden crates packed into a container: need to open container and inspect outside of crates. Contents of crates may be inspected if deemed necessary based on manifest.

2. On-Island (Maui)

- a) Inspections may be required. Ask when scheduling other inspections.

D. Raw Materials – Required Inspections (e.g. sand, cinder, crush rock, etc.)

1. On-Island (Maui)

- a) Ameron
- b) Hawaiian Cement

E. Construction Materials – Required Inspections (lumber, cement, etc.)

1. Off-island including from the Mainland

- a) Need to inspect open or closed containers.

2. On-Island (Maui)

- a) Need to inspect at source site of materials.

F. Inspection Locations

- 1. Trucking company baseyards for vehicles and some containers and items being hauled (ROJAC, DeCoite, Jacro, Kahului Trucking, Tri-Isle, etc.)
- 2. Matson shipyard for some containers (DHX, Island Movers etc.)
- 3. Place of business or worksite outside of the park for large items (Hawthorne/Caterpillar, Maui Paving, Roadway Solutions, Miyake Concrete, Walker Industries etc.)

G. Scheduling Inspections

1. Inspections must be scheduled a minimum of two weeks in advance. Please call Resources Management staff at 808-572-4480 in order to schedule an inspection.
2. Unanticipated requests for inspections will be handled on a case-by-case basis and upon availability of staff to schedule an inspection.

H. Cost Recovery for Invasive Species Inspections

1. Permittee will be charged for park staff salary and travel time, as well as for mileage, in order to perform the inspection. This service will be charged at \$40 per hour (at quarter hour intervals) and at \$.50/mile.
2. Permittee will be billed after the inspection is completed. If payment is not received within 14 days of Permittee's receipt of the bill, the Permit will be suspended until the bill is paid in full.

VI. Emergency Medical and Accident Reporting

A. The Permittee or any contractor or subcontractor working under this Permit shall contact Park Dispatch if a Park Ranger for any medical emergency or traffic accident occurring within the Park.

1. Emergency number 1-877-428-6911
2. Non-Emergency number 1-808-985-6170

B. The Permittee or any contractor or subcontractor working under the Permit is required to report ANY personal injury and/or property damage incident occurring within the park. This report must be made to a Law Enforcement Ranger at the first available opportunity before leaving the park by:

1. Contacting Park Dispatch at 1-808-985-6170; or
2. Contacting a Ranger at Headquarters Visitor Center.

C. For medical emergencies or accidents occurring on the jobsite within the Park, the Permittee, contractor or subcontractor should contact:

1. 911 as needed.
2. Park Dispatch so that the entrance station will be prepared should any emergency vehicles (e.g. ambulance) need to enter the Park.
3. Park Dispatch so that any available Emergency Medical Services personnel in the Park might respond until such time as the ambulance arrives.

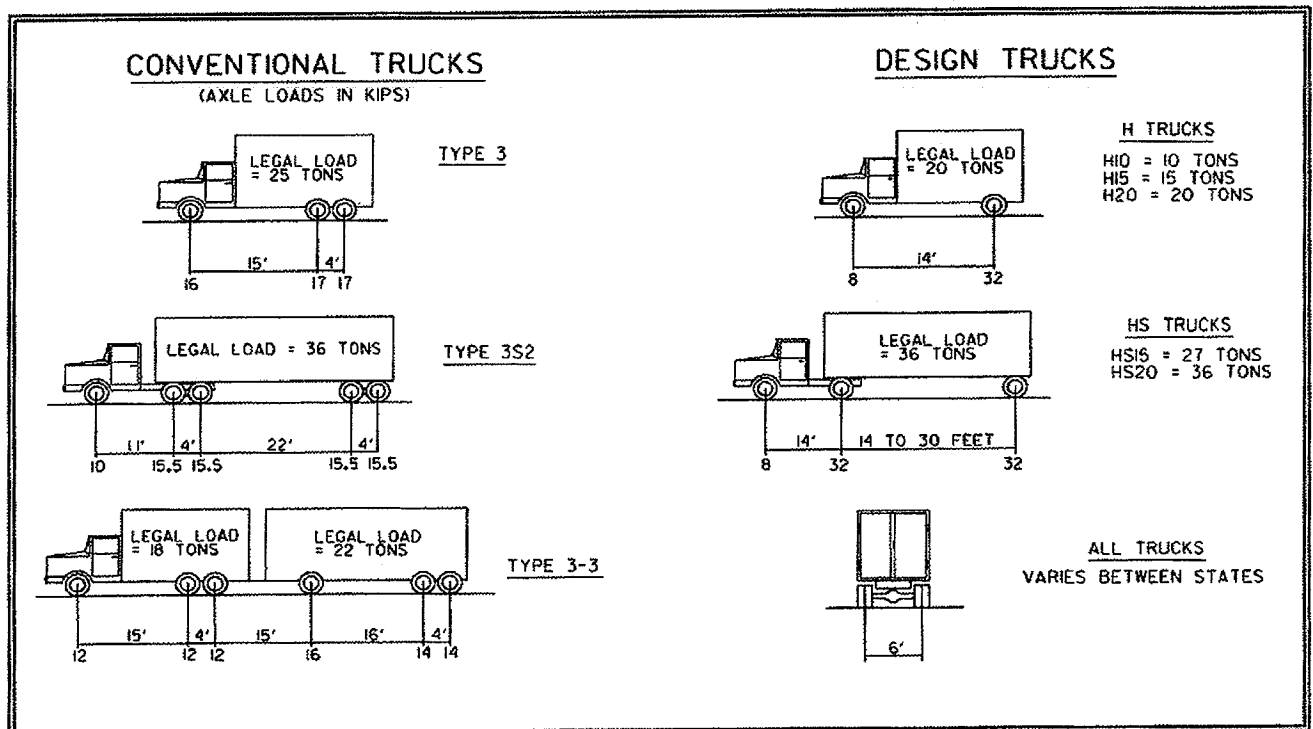
D. It is highly recommended that a map of the summit area including roads and major buildings indicating location of the construction site be provided to Haleakalā National Park, Maui County Dispatch and American Medical Response (ambulance) for any long-term project.

STRUCTURE LOAD RATING
HALEAKALA HIGHWAY BRIDGE

STRUCTURE NO. 8290-001P
 INSPECTION DATE: 6/16/05

TRUCK TYPE	INVENTORY RATING (NORMAL TRAFFIC)		OPERATING RATING (MAXIMUM LOAD)	
	TONS	METRIC TONS	TONS	METRIC TONS
H	18	16	27	24
HS	33	30	49	44
TYPE 3	31	28	45	41
TYPE 3S2	47	43	72	65
TYPE 3-3	55	50	88	80
DESIGN LOADING: H15 (M13.5)				
X	CAPACITY MEETS OR EXCEEDS DESIGN LOAD			
	CAPACITY IS LESS THAN DESIGN LOAD			
X	ORIGINAL LOAD RATING CALCULATION APPLICABLE			
	ORIGINAL LOAD RATING CALCULATION REVISED			
DATE OF LOAD RATING CALCULATION: 5/91				
LOAD RATING CONTROLLED BY: MOMENT CAPACITY OF BEAMS				

REMARKS:



By signing below, I acknowledge that I have read, understand, and will adhere to the Special Conditions of Permit as listed above.

PERMITTEE: _____
Signature Date

CONTRACTOR: _____
Signature Company Name Date

SUBCONTRACTOR: _____
Signature Company Name Date

SUBCONTRACTOR: _____
Signature Company Name Date

SUBCONTRACTOR: _____
Signature Company Name Date

PROJECT NAME: _____

PERMIT NUMBER: _____